

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.21503 OF 2018
DECIDED ON: AUGUST 28, 2018

RAJWANTI AND ORS.

.....PETITIONERS..

VERSUS

STATE OF HARYANA AND ORS.

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Jitender Nara, Advocate,
for the petitioners.

JASPAL SINGH, J

By virtue of instant petition preferred under Article 226 of the Constitution of India, petitioners have sought issuance of a writ in the nature of mandamus, directing the respondents to restore deduction made from the payment of additional dearness allowance/adhoc relief and refix the pay/pension in the revised scale as introduced w.e.f. 01.05.1973, 01.04.1979, 01.10.1986 and 01.01.1996 after restoration of deduction/cut of alleged excess payment of adhoc relief and further to pay arrears of pay/pension accruing due to restoration of cut/deduction along with interest in view of decision dated 11.08.2003 (P-4) passed in CWP No.4518 of 2000, titled as R.K. Gupta and ors. v. State of Haryana and ors. and decision dated 08.12.2015 (P-5) passed in Civil Appeal No.8661 of 2009, titled as “State of Haryana and ors. v. R.K. Gupta and ors.”

2. At the very outset, learned counsel for the petitioners submits that

though legal notice dated 07.04.2018 (P-7) was duly served upon the respondents but till date neither any response has been received nor any conscious decision has been taken. He further submits that petitioners feel satisfied in case direction is issued to respondents to decide legal notice (P-7), within a stipulated period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with the direction to respondent(s) to consider the claim of the petitioners put forth by them in representation (P-7) and to take a conscious decision in accordance with law, rules and regulations, particularly in the light of judgments referred to above in para No.1 of this judgment, which as per the version of learned counsel for the petitioners have attained finality, within a period of four months from the date of receipt of certified copy of this order.

4. However, if the petitioners still feel aggrieved against any of the order passed by the concerned authority, they shall be at liberty to approach this Court as well as to have recourse to the other remedies available under law.

AUGUST 28, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes/No</i>